



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

July 1, 1994

TO: Minerals File

FROM: Tony Gallegos, Reclamation Engineer *aa*

RE: Site Inspection, Bill Hamm Starlite Stone Quarry, S/003/023, Box Elder County, Utah

Date of Inspection: June 29, 1994
Time of Inspection: 1120 - 1430
Conditions: Mostly clear with gusting winds
Participants: Bill Hamm, Operator; Dan Washington and Phil Allard, BLM; Tony Gallegos, and Lynn Kunzler, DOGM

Purpose of Inspection: To discuss the variance requests for the small mine notice and evaluate the permitting situation for this site with the BLM.

We arrived at the quarry site and found several workers chipping the stone with hammers to create thin plates. There were also workers operating a small dozer and a hydraulic excavator/trackhoe. Workers informed us that Bill Hamm was down below at the yard near Lynn. Shortly after that Dan Washington was able to reach Mr. Hamm by radio. Mr. Hamm was having problems with his truck so Dan proceeded down to the yard to pick him up. During this time we had discussions with Mr. Phil Allard regarding the BLM's permitting position for this site. This site involves split ownership with private surface rights and federal mineral rights. The surface owner has a surface agreement with Keith McKay of State Stone. Mr. Bill Hamm has informed the BLM he has entered into a surface agreement with Keith McKay. There are placer claims filed at this site by Lon Thomas. Mr. Hamm has filed claims which overlap the Lon Thomas claims.

Mr. Allard informed us that if the mine operator has an agreement with the surface owner, the BLM would not be directly involved with the permitting of this site. The split surface rights and locatable mineral create a situation in which the BLM's 3809 regulation are not applicable. In this case the BLM could merely offer advice to DOGM regarding the mining plan. However, if the proposed changes to the 1872 mining law were to be approved, the BLM would be actively involved with permitting this site and the minerals would probably be categorized as saleable. As it is now, because it is considered a



0002

Page 2
Site Inspection
S/003/023
July 1, 1994

locatable mineral with split surface and mineral estate, the BLM's 3809 regulations would not apply.

Shortly after Dan left to pick up Mr. Hamm, we drove above the quarry area and then proceeded to the ridge line. After a short lunch break, we then proceeded over the ridge into the valley located to the west of the Starlight Quarry. There were some old and small quarry disturbances along the ridge and also a larger, active quarry located just to the west of the ridge line. We proceeded to drive to this active quarry and performed a brief inspection of this site before returning to the Starlight Quarry.

Mr. Hamm and Dan Washington arrived shortly after our return to the Starlight Quarry. Mr. Hamm provided a general description of their operation. The stone is generally broken into thin slabs and palletized at the mine site. The palletized rock is then hauled down to the yard for distribution shipping. Mr. Hamm indicated that OSHA had inspected their site some time ago and expressed some concern about the highwall if they continue mining. At this point in time, OSHA was not concerned because they were mining under a portion of the highwall which has a catch berm.

We next proceeded to the waste or reject dump located on the north end of the quarry. We discussed future plans for this mine dump and informed Mr. Hamm that we would prefer that this dump disturbance did not expand further down the slope. The current toe of this dump is near the trees on the north side of the slope. We informed Mr. Hamm we would prefer that he begin a new dump level without expanding down the slope by stepping back from the existing edge of this slope before dumping additional material. The toe of this new dump should begin approximately 1 - 2 dozer blade widths back from the edge of the current dump. This would allow access to this edge/toe of the new dump. It would also allow some regrading of the benched dump slopes at final reclamation.

We then proceeded to the active quarry area. Mr. Hamm indicated they plan to mine north and south along the highwall down to the current pit floor. However, the depth of the deposit is unknown, so they may go deeper than the current pit floor or they may not go as deep. We explained to Mr. Hamm the Division's policy for reclamation of areas and the three year time period between reclamation and release of an area. Mr. Allard then explained to Mr. Hamm the permitting situation from the BLM's point of view and the possibility of changes in the 1872 mining law which would make this stone saleable. If these changes were to occur Mr. Hamm would be required to pay royalty fees to the BLM and the BLM would take a more active role in permitting.

We informed Mr. Hamm that because this is private surface, we would like a copy of the agreement between the operator and the surface owner. We discussed general

Page 3
Site Inspection
S/003/023
July 1, 1994

reclamation practices at this site with Mr. Hamm. For example, we described typical reclamation of one of the smaller quarry areas. The reclamation would involve regrading any steep slopes, or backfilling the small pit. We would like to see the slopes graded to a 3 horizontal :1 vertical angle if possible. A slope of 2.5h:1v is acceptable, but the best revegetation results would be achieved on a 3:1 slope. The regraded slopes would then need to be covered with soil material (if available) and seeded. It would take three years from the time the area was seeded before the Division could consider the area fully released. It may be sooner than that, but three growing seasons is what is described in the rules.

We described the possibility of Mr. Hamm operating under a small mine notice, provided they work within a 5 acre area of the existing disturbance. To do this an area would need to be marked off with stakes or other markers so he and the workers would know to keep within those boundaries.

We then met Mr. Keith McKay of State Stone. He is the person with the agreement with the surface owner and then Mr. Hamm has an agreement with Mr. McKay. Shortly after that we had to leave the site due to other commitments. The inspection concluded with the understanding that the Division would copy this memo to Mr. Hamm and the BLM. A future inspection would need to be performed in order to mark off areas which they would be operating in and also to discuss a more detailed mining and reclamation plan. This type of plan is typically not required for a small mining notice, but due to the pre-existing disturbances in this area and the complex land ownership status, it is felt that some sort of mine and reclamation plan should be developed for the benefit of the operator and the Division.

jb

cc: Bill Hamm, Idaho Stone
Phil Allard, BLM, Bear River Ra
Dan Washington, BLM, Bear River RA

S003023